

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – October 17<sup>th</sup>, 2002**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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**PRESENT:**

**Chairman:** Craig H. Zetley (*voting on items 1-34, 36-41* )

**Members:** Scott R. Winkler (*voting on items 1-56* )  
Catherine M. Doyle (*voting on items 1-22,25-33,35-47,50-56*)  
Roy B. Nabors (*voting on items 1-56* )

**Alt. Board Members:** Georgia M. Cameron (*voting on items 23,24, 34,35, 39-56* )  
Donald Jackson (*voting on items 21-25,27,31-35, 37, 42-56* )

**START TIME:** 2:10p.m.

**End Time:** 7:30 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	23831 Special Use/ Dim. Variance	Sandstone Petroleum, Inc. Jay Walia;Prospective Buyer  Request to continue occupying the premises as a motor vehicle pumping station with a convenience store.	6001 W. Burleigh St. A/K/A 3071 N. 60th St. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the Special Use request. Seconded by Catherine Doyle. Scott Winkler moved to grant the Dimensional Variance request. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the unused driveway approach on W. Burleigh Street is closed and restored with curb and gutter.</p> <p>5. That all previous conditions of the Board regarding this property are complied with.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>8. That one pay phone capable of making outgoing calls only be allowed on the premises.</p> <p>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p> <p>10. That these Variances are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	24234 Rehearing Request	TeleCorp Realty LLC a.k.a SunCom Wireless;Prospective Buyer  Request for a rehearing to construct a 145 ft. telecommunications tower on the premises.  Action: Denied  Motion: Scott Winkler moved to deny the rehearing request. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2129 W. Morgan Av. 13th Dist.
3	24508 Special Use	Tautila Russell Property Owner  Request to occupy the premises(lower unit) as a day care facility for 8 children, 6wks-12yrs, Monday-Friday 6:00am-10:00pm.  Action: Dismissed  Motion: Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2477 N. 44th St. A/K/A 2475-77 N. 44th St. 17th Dist.
4	24203 Dimensional Variance	Sheila Firari Prospective Buyer  Request to construct a new 3-unit townhouse without the required front & side setbacks.  Action: Dismissed  Motion: Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	801 E. Pearson St. 3rd Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
5	24517 Special Use	Calvary Hill Church Property Owner  Request to continue occupying the premises as a church with the addition of a day care center for 12 children, 3yrs-12yrs, Monday-Friday 7:00am-7:00pm.	3410 W. Burleigh St. 10th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	24551 Special Use	Silvano Salmonreal Property Owner  Request to occupy the premises as a type 'B' restaurant.	401-05 S. 2nd St. A/K/A 401-13 S. 2nd St. 12th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	24504 Use Variance	Covenant Apostolic Church Lessee  Request to occupy a portion of the premises as a church.	1206 W. Layton Av. A/K/A 1204-08 W. Layton Ave. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	24518 Use Variance	National Appraisal Corp. Keith W. Munson; Lessee	3359 S. 13th St. 14th Dist.
		Request to convert the rear portion of the premises into an office to be used in conjunction with the legally established office space (front of premises) on site.	
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	24552 Use Variance	James Rzepny Property Owner	5033 W. Bluemound Rd. 16th Dist.
		Request to occupy the premises as a retail sales facility (floral shop).	
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</p> <p>5. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape plan should flip flop the parking and driveway areas (so that the driveway is on the southern side of the parking area) so that there is additional space for landscaping and screening.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	24532 Special Use	Mt Carmel Missionary Baptist Church Property Owner	1616 W. Meinecke Av. 17th Dist.
		Request to occupy the premises as a parking lot extending the adjacent lot.	
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan should provide additional plant materials along the W. Meinecke Ave frontage, and provide an opaque wood fence along the eastern boundaries of the property.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	24540 Special Use	Galst Foods, Inc. Lessee  Request to continue occupying the premises as a indoor storage facility.	1500 W. North Av. A/K/A 1500-04 W. North Ave. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Dolye moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
12	24542 Dimensional Variance	James Maurer Property Owner  Request to raze the existing garage and construct a new detached garage on the premises.	1535 N. Cass St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
13	24545 Dimensional Variance	Douglas & Jennifer Nolde Property Owner  Request to construct a new detached garage.	2924 N. Farwell Av. 3rd Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
14	24536 Dimensional Variance	Milwaukee Midtown Housing Corporation  Request to construct a residential dwelling without the required front setback.	2832 W. Vliet St. A/K/A 2830-32 W. Vliet St. 4th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That a decorative metal fence is installed along the street frontage.</li> <li>5. That the front setback is landscaped with trees and shrubs.</li> <li>6. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	24543 Special Use	Pristine Child Care Center Lessee  Request to expand the hours of operation from 7:00am-6:00pm to 6:00am-12:30am of the existing day care center for 30 children, ages 6 wks. through 12 yrs.	1934 N. Martin Luther King Dr. 6th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all other Board decisions regarding this use are complied with.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 13, 2010.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	24548 Use Variance	Ace Auto Salvage Michael Suttner;Property Owner  Request to occupy the premises as motor vehicle repair facility (refurbish radiators for resale to private business).  Action: Granted 10 yrs.  Motion: Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2353 S. 43rd St. 8th Dist.
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan or in the plan of operation.</p> <p>6. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</p> <p>8. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
17	24541 Use Variance	Kevin Zimmerman Lessee  Request to occupy a portion of the premises as a laundry processing facility.  Action: Dismissed  Motion: Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	7313 N. Teutonia Av. A/K/A 7299 W. Teutonia Ave 9th Dist.

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18	24539 Special Use	<p>Roberta Henry Property Owner</p> <p>Request to occupy the premises as a day care facility for 8 children ages 6wks-12yrs, 6:00am-10:00pm Monday-Friday.</p> <p>Action: Adjourned</p> <p>Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.</p>	<p>3379 N. Sherman Bl. 10th Dist.</p>
19	24496 Special Use	<p>Quincy Lynk &amp; Patrice Mckinley Property Owner</p> <p>Request to occupy the premises as a 24hr day care facility for 8 children, 6wks-12yrs, Monday-Sunday.</p> <p>Action: Adjourned</p> <p>Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.</p>	<p>2550 N. 58th St. 7th Dist.</p>
20	24525 Special Use	<p>Sara Diaz Lessee</p> <p>Request to occupy the premises as a secondhand sales facility.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no products or merchandise are displayed outside of the building.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That signage is limited to the sign band above the storefront windows.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	<p>1020 W. National Av. A/K/A 1016-20 W. National Ave 12th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24560 Special Use	Zabest Commercial Group, Inc. Steve Nikolas;Prospective Buyer  Request to raze and rebuild the facility and occupy the premises as a fast food/carry-out restaurant.	3230 S. 27th St. A/K/A 3232 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</p> <p>5. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code adopted by the Common Council (file 991763) must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That signage conforms to the sign standards of s.295-605 of the Milwaukee Zoning Code adopted by the Common Council (file # 991763). A Type A roof sign in an LB2 zoning district is limited to a maximum area of 100 square feet.</p> <p>7. That a revised site plan is submitted to and approved by the Zoning Administrative Group prior to the issuance of any permits.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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22	24264 Use Variance	Interweld, Inc. Lessee  Request to occupy the premises as a recreational facility/social hall for dinners, dances, receptions & other social gatherings.  Action: Adjourned  Motion: Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	5839 N. 94th St. 15th Dist.
23	24482 Special Use	Payday Loan of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.  Action: Adjourned  Motion: Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	11414 W. Silver Spring Dr. 15th Dist.
24	24479 Special Use	Payday Loan Store of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.  Action: Dismissed  Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3500 W. National Av. A/K/A 3500-04 W. National Ave. 16th Dist.
25	24422 Special Use	Ralph W. Sellers Lessee  Request to occupy the premises as a second-hand sales facility.  Action: Adjourned  Motion: Roy Nabors moved to adjourn the appeal. Seconded by Scott Winkler.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3309 W. National Av. 16th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	24185 Dimensional Variance	Clear Channel Outdoor Lessee  Request to construct a 10.5 ft x 36ft off premise advertising sign adjacent to the freeway.	9715 W. Blue Mound Rd. 16th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
27	24485 Special Use	House of Sacrifice Church Prospective Buyer  Request to occupy the premises as a church.	930 W. Center St. A/K/A 930-32 W. Center St. 17th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That any existing unused signs from the previous occupant are removed.</p> <p>5. That the proposed rear parking area is paved per code requirements.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	24390 Special Use	Roger Sinclair Lessee  Request to occupy the premise as a car wash.	4173 N. Green Bay Av. A/K/A 4173-75 N. Green Bay Ave. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Ald. and will be rescheduled at the next available hearing.	
29	24401 Special Use	Tammy Campbell Lessee  Request to occupy the premises as a 24 hr family day care facility for 8 children, 6wks-12yrs, Monday-Friday.	4959 N. 21st St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant this appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>5. That there be no signage for the day care facility.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	



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30	24446 Special Use	Linda Anthony Linda's Child Care and Growth Center;Property Owner  Request to occupy the premises as a day care center for 25 children, ages 6 weeks to 12 years, 6:30 AM to 12:00 AM.	4585 N. 23rd St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Ald. and will be rescheduled for the next available hearing.	
31	24380 Special Use	Joye A. Peterson Property Owner  Request to occupy the premise as a day care center for 50 children, 6wks-12yrs, Monday-Friday 6:00am-12:00am.	7118-24 W. Center St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</li> <li>5. That signage conforms to the sign standards of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</li> <li>6. That the outdoor play area meets the minimum requirements of the State of Wisconsin.</li> <li>7. That the outdoor play area is not utilized after 8:00 P.M.</li> <li>8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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32	24493 Special Use	Gloria Oglesby Property Owner  Request to occupy the premises as a day care center for 18 children, 4wks-12yrs, 6:00am-6:00pm Monday-Sunday.	4261 N. 68th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	24399 Special Use	LifeWays Lessee  Request to occupy a portion(lower level)of the premises as a day care center for 20 children, 3 mo-12 yrs, Monday-Friday 6:00am-6:00pm.	3224 N. Gordon Pl. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains an occupancy certificate for a day care facility and complies with all of the requirements for a day care center.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
34	24341 Special Use	Title Lenders, Inc. d/d/a USA Payday Loans; Lessee  Request to occupy a portion of the premise as a payday loan agency.	714 N. Broadway . A/K/A 312 E. Wisconsin Ave. 4th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
35	24492 Special Use	Mohammed Rashaed & John Nelson Property Owner  Request to occupy a portion of the premises(3rd floor) as a rooming house for 3 roomers.	3131 W. Wells St. A/K/A 3125-31 W. Wells 4th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn this appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	24498 Use Variance	Milwaukee Institute of Art and Design Property Owner	143 N. Broadway . 4th Dist.
		Request to occupy the premises as a dormitory (max. 14 people).	
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That occupancy of the dormitory not exceed 14 people.</li> <li>5. that the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>6. That the petitioner supply a contact phone number to the Alderman, Board office and any neighboring resident that requests it.</li> <li>7. That persons residing in the dormitory not have access to the roof of the building.</li> <li>8. That this Variance Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	24182 Special Use	Jay J. Shambeau Property Owner	8522 W. Hampton Av. 5th Dist.
		Request to continue occupying the premise as a motor vehicle repair and sales facility.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no parking on unpaved surfaces. Vehicles currently parked on the gravel area must be removed and that area barricaded to prevent future parking. This must be done before an occupancy is approved.</li> <li>5. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>6. That there is no display of exterior banners or other advertising except that which is on the approved sign plan or in the plan of operation.</li> <li>7. That the gravel portion of the parking lot is paved.</li> <li>8. That the barbed wire on top of the chain linked fence is removed.</li> <li>9. That no work or storage of vehicles occurs in the public right of way.</li> <li>10. That the petitioner implement (within 60 days weather permitting) and maintain landscaping and screening in accordance to the landscape and screening plan submitted to the Board of Zoning Appeals on 9/20/02.</li> <li>11. That all previous conditions of the Board regarding this premises are complied with.</li> <li>12. That all vehicles associated with this use be parked on site.</li> <li>13. That all vehicles associated with this use have some type of identification on them which links the vehicle to this facility.</li> <li>14. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises.</li> <li>15. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
38	24497 Dimensional Variance	Jon Bromaghim Property Owner  Request to construct a carport to the existing attached garage.	3120 N. Argonne Dr. 5th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny this request. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	24490 Special Use	Mt. Zion Missionary Baptist Church Lessee  Request to occupy the premises as a social service facility(neighborhood resource center).	2222 N. 2nd St. 6th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
40	24514 Special Use	Tamaran Geter Property Owner  Request to occupy the premises as a 24hr day care facility for 8 children, 3wks-12yrs, Monday-Friday.	2854 N. 28th St. A/K/A 2854-56 N. 58th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the outdoor play area is not utilized before 9:00 a.m. or after 8:00 p.m.  5. That the hours of operation for this facility shall be 6:00 a.m. to 12:30 a.m.  6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	24106 Use Variance	James W Lyte Lessee  Request to occupy the premises as a personal service facility (barber shop).  Action: Adjourned  Motion: Scott Winkler moved to adjourn this appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2140 N. 27th St. 7th Dist.
42	24434 Special Use	Theodora McQueen Lessee  Request to occupy the premises as a day care facility for 8 children, 6wks-12yrs, Monday-Sunday 6:30am-12:00am.  Action: Granted 2 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.  Vote: 4 Ayes, 0 Nays, 1 S. Winkler Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant must obtain an occupancy certificate and comply with all the State commercial code requirements for day care centers.</li> <li>5. That signage is limited to a maximum of 18 square feet.</li> <li>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>7. That the outdoor play area not be utilized before 8:00 a.m. and after 9:00 p.m.</li> <li>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	2735 W. Wright St. A/K/A 2733-35 W. Wright St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	24483 Special Use	Maryion Bean Mary Bean;Property Owner  Request to occupy the premises as a 24hr day care facility for 8 children, 6wks-12yrs, Monday-Friday.	2709 N. 46th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
44	24373 Special Use	Daryl Olszewski Other  Request to occupy a portion of the existing school as a day care center for 40 children, ages 3 - 14 yrs., from 6 a.m. to 6 p.m.	2647 N. 51st St. A/K/A 5131 W. Center St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant hold quarterly meetings regarding the day care center with residents within a two block radius of the premises.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	24433 Dimensional Variance	K.B. CO. 2601 LLC Property Owner  Request to convert an existing 3 unit dwelling into a 4 unit residential dwelling.	2601 S. 15th St. 8th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the applicant obtains an electrical, plumbing and alteration permit to convert the space to a residential unit.</li> <li>5. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	24461 Special Use	Jatter Bhiani Property Owner  Request to occupy the premises as a type 'B' restaurant.  Action: Granted 4 yrs.  Motion: Roy Nabors moved to grant the appeal. Seconded by Scott Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 S. Winkler Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for restaurants.  5. That the petitioner implement and maintain landscaping and screening in accordance to the landscape and screening plan landscaping and screening plan submitted to the Board of Zoning Appeals on 9/5/02.  6. That signage plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.  7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.  8. That the hours of operation shall be from 9:00 a.m. to 8:00 p.m. Sunday - Thursday and 9:00 a.m. to 9:00 p.m. on Friday and Saturday.  9. That this Special Use is granted for a period of four (4) years, commencing with the date hereof.	2436 W. Mitchell St. 8th Dist.
47	24288 Dimensional Variance	Patti Jump Property Owner  Request to expand the existing 3 unit residential dwelling to a 5 unit residential dwelling.  Action: Adjourned  Motion: This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	2100-04 S. 32nd St. 8th Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
48	24481 Special Use	Payday Loan of Wisconsin, Inc. Lessee  Request to occupy a portion of the premises as a payday loan agency.	6917 W. Brown Deer Rd. A/K/A 6801-6917 W. Brown Deer Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained. S. Winkler Chair	
49	24480 Special Use	Payday Loan Store of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.	4235 W. Silver Spring Dr. 9th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained. S. Winkler Chair	
50	24460 Special Use	Voicestream PCS II Corp. Lessee  Request to construct an 80-foot transmission tower on the premises.	3175 N. Teutonia Av. 10th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
51	24513 Special Use	Tamarin Geter Lessee  Request to occupy the premises as a 24hr day care facility for 8 children, 3wks-12yrs, Monday-Friday.	3807 N. 38th St. A/K/A 3807-09 N. 38th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn this appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	24359 Special Use	David Aragon Site Staffing;Property Owner  Request to modify the existing board approved special use by addition of a ground sign 50 ft. in height, 207 sq. ft. in area with a electronic message board.	809 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
53	24271 Other	Cashland Check Cashing Corp.  Request to appeal a determination of the department of Neighborhood Services determining the check cashing machines located on the premises to be accessory use to the primary function of tax return preparation.	1842 S. 15th St. A/K/A 1201 N. 35 & 5209 W. Fond du Lac Ave 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	23646 Special Use	Lawrence Gaffney d/b/a Howell Ave. Auto Sales & Service; Lessee	4161 S. Howell Av. 13th Dist.
		Request to occupy the premises as an auto repair and sales facility.	
	Action:	Granted 2 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is installed which meets the intent of s.295-75. If any planting will occur in the public right of way, the petitioner must receive permission from the City Forester.</p> <p>5. That site illumination is controlled to prevent glare onto adjacent streets and residences.</p> <p>6. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>7. That all repair work is conducted inside of the building.</p> <p>8. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>9. That the applicant has one (1) year from the date hereof to purchase the premises and complete all the required site improvements, including the erection of a retaining wall on the rear of the premises, as testified to at the October 17, 2002, Board hearing.</p> <p>10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	24355 Special Use	Mandeep Dhawan Satwant Singih Kaleka;Prospective Buyer  Request to occupy the premise as a motor vehicle pumping station with a convenience store and car wash.	5505 W. Lisbon Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
56	24019 Special Use	Bulk Petroleum Corp. Other  Request to construct a 24 hr. motor vehicle pumping station on the premises.	1317-37 W. Atkinson Av. 10th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Winkler moved to approve the minutes of the September 26, 2002 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for November 14<sup>th</sup>, 2002.

Board member Jackson moved to adjourn the meeting at 7:30 p.m.. Seconded by Board member Cameron. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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